

**TRANSMITTAL  
FORM**

Application No.:	09/599,229
Filing Date:	June 22, 2000
Confirmation No.:	7778
First Named Inventor:	Eli Shagam
Group Art Unit	2142
Examiner:	Vu, Thong H.
Customer No.	24227

Total Number of Pages in this Submission:	18	Docket No.	EMC-99-167
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**ENCLOSURES (check all that apply)**

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Authorization for the Commissioner to charge Deposit Account No. 05-0889 (in duplicate) | <input type="checkbox"/> Assignment<br><input type="checkbox"/> Recordation Cover Sheet                             | <input checked="" type="checkbox"/> Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a)   |
| <input type="checkbox"/> Amendment  | <input type="checkbox"/> Declaration/Power of Attorney  | <input type="checkbox"/> Continued Prosecution Application (CPA)  |
| <input type="checkbox"/> Affidavits/Decl. Terminal Disclaimer   | <input type="checkbox"/> Associate Power of Attorney  | <input type="checkbox"/> Form PTOL-85B, Part B - Issue Fee Payment Transmittal," (in duplicate)   |
| <input type="checkbox"/> Extension of Time Request for 3 Months   | <input type="checkbox"/> Revocation of Power of Attorney  | <input type="checkbox"/> Status Inquiry   |
| <input type="checkbox"/> Information Disclosure Statement   | <input type="checkbox"/> Formal Drawings  | <input checked="" type="checkbox"/> Certificate of Mailing or Transmission [37 CFR 1.8]   |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application   | <input type="checkbox"/> Letter to Official Draftsperson with sheets of Formal Drawings, Figs. 1 through , labeled. | <input type="checkbox"/> Certificate of Express Mail Mailing  |
|   | <input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review"                                  | <input checked="" type="checkbox"/> Postcard  |
|   | <input type="checkbox"/> Certified Copy of Priority Document(s)   | <input checked="" type="checkbox"/> Additional Enclosures:<br>Copy of Response Mailed 7/28/04<br>Copy of Return Receipt Postcard from USPTO dated 7/30/04 |

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Date 11/29/04	 Scott A. Ouellette, Esq. (Reg. No. 38,573) EMC Corporation Office of the General Counsel 176 South Street Hopkinton, MA 01748
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**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]**

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Date 11/29/04	 Signature
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Linda Valanzola

Typed or printed name of person signing certificate



PATENT  
EMC->99-167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>APPLICANT:</b>	Eli Shagam et al	<b>GROUP ART UNIT:</b>	2142
<b>U.S.S.N.:</b>	09/599,229	<b>EXAMINER:</b>	Vu, Thong H.
<b>FILING DATE:</b>	June 22, 2000	<b>CUSTOMER NO.:</b>	<b>24227</b>
<b>TITLE:</b>	<i>System and Method for Reducing Bandwidth Consumed by Looping Message Packets In Local Area Network</i>		

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop: Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 29, 2004.

Mail Stop: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181 (a)**

Sir:

In response to the Notice of Abandonment mailed November 03, 2004, Applicant hereby petitions that the holding of abandonment be withdrawn.

In response to the Office Action mailed April 19, 2004, applicants submitted a Response on July 28, 2004, along with a Petition for Extension of Time for one month.

In support of this Petition, attached is a copy of the following documents:

1) Copy of Response mailed on July 28, 2004; and

Applicants: >Eli Shagam et al  
U.S.S.N. >09/599/229  
Filing Date: >June 22, 2000  
Atty. Docket No.: EMC-99-167>

2) Copy of Return Receipt Postcard from the United States Patent Office, having a date stamp of July 30, 2004.

Accordingly, because applicants timely filed a Response to the Office Action of April 19, 2004, the application was never, in fact, abandoned. Therefore, applicants request that the holding of abandonment be withdrawn.

In the event the Patent Office deems personal contact desirable in disposition of this matter, the Office is invited to contact the undersigned attorney at (508) 293-7835.

Please charge any fees occasioned by this submission to Deposit Account No. 05-0889.

Respectfully submitted,

Dated: \_\_\_\_\_

11/10/04



\_\_\_\_\_  
Scott A. Ouellette, Esq. (Reg. No. 38,573)  
EMC Corporation  
Office of the General Counsel  
176 South Street  
Hopkinton, MA 01748  
Tel: 508-293-7835  
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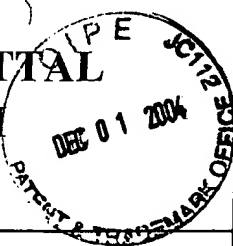


Serial No.: 09/599,229 Filed: JUNE 22 2000 Attorney: SHO  
Applicant: ELI SHAGIN et al Docket No.: ENC-99-107 Date Mailed: 7-28-04  
Title: System and Method for Reducing ... ☒ First Class Mail ☐ Express Mail No. \_\_\_\_\_  
The following was/were received in the U.S. Patent & Trademark Office Mail Room on the date stamped hereon:

1.	<input type="checkbox"/>	PCT New Application Transmittal (in duplicate if charging deposit amount) PCT Request: PCT Demand Transmittal Form for Application* (in duplicate if charging deposit amount) Provisional Application under 37 CFR 1.53(b) Utility Application under 37 CFR 1.114 RCE Application under 37 CFR 1.53(b) Continuation Application under 37 CFR 1.53(b) Divisional Application under 37 CFR 1.53(b) CIP Application under 37 CFR 1.53(b) Other _____	11.	<input type="checkbox"/>	Sheets Formal Drawings w/Cover Sheet
2.	<input type="checkbox"/>		12.	<input type="checkbox"/>	Request for Refund
3.	<input type="checkbox"/>	*Patent Application including: Pages Specification Pages Claims (Claims 1 through _____) Pages Abstract Sheets of Drawings (Fig. 1 through _____) Request for Continued Examination (RCE) including: Amendment Extension of Time for _____ month(s) Information Disclosure Statement Other _____	13.	<input type="checkbox"/>	Completion of Filing Requirements or Response to Notice of Incomplete Application Transmittal for Amendment (Response) Petition for _____ Mo. Extension of Time (in duplicate if charging deposit amount) Amendment (Response) Preliminary Amendment (Response) Response to Restriction Requirement Requirement for Election of Species Information Disclosure Statement, with Form(s) PTO-1449 (____ sheets) and copies of _____ references
4.	<input type="checkbox"/>		14.	<input checked="" type="checkbox"/>	Affidavit or Declaration under 37 CFR §1.131 §1.132 Notice of Appeal or Appeal Brief Response to Notice to File Missing Parts Petition
5.	<input type="checkbox"/>		15.	<input checked="" type="checkbox"/>	Letter _____
6.	<input type="checkbox"/>		16.	<input checked="" type="checkbox"/>	Status Inquiry
7.	<input type="checkbox"/>		17.	<input checked="" type="checkbox"/>	Issue Fee Transmittal
8.	<input type="checkbox"/>		18.	<input checked="" type="checkbox"/>	Maintenance Fee Transmittal
9.	<input type="checkbox"/>		19.	<input checked="" type="checkbox"/>	Check No. _____ for \$ _____
10.	<input type="checkbox"/>		20.	<input checked="" type="checkbox"/>	Covering Item No(s) _____
			21.	<input checked="" type="checkbox"/>	Certificate of First Class Mailing
			22.	<input checked="" type="checkbox"/>	Certificate of Express Mail
			23.	<input checked="" type="checkbox"/>	Other: <u>Postcard</u>
			24.	<input checked="" type="checkbox"/>	
			25.	<input checked="" type="checkbox"/>	
			26.	<input checked="" type="checkbox"/>	
			27.	<input checked="" type="checkbox"/>	
			28.	<input checked="" type="checkbox"/>	
			29.	<input checked="" type="checkbox"/>	
			30.	<input checked="" type="checkbox"/>	
			31.	<input checked="" type="checkbox"/>	
			32.	<input checked="" type="checkbox"/>	



# TRANSMITTAL FORM



Application No.: 09/599,229  
 Filing Date: June 22, 2000  
 First Named Inventor: Eli Shagam  
 Group Art Unit: 2142  
 Examiner: Vu, Thong H.  
 Customer No.: 24227  
 Docket No.: EMC-99-167

Total Number of Pages in this Submission: 14

## ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Authorization for the Commissioner to charge Deposit Account No. 05-0889 for fees associated with this transaction<br><br><input checked="" type="checkbox"/> Amendment/Response<br><div style="margin-left: 20px;"> <input type="checkbox"/> After Final<br/> <input type="checkbox"/> Affidavits/Decl.                 </div> <input checked="" type="checkbox"/> Extension of Time Request for 1 Month (in duplicate)<br><br><input type="checkbox"/> Request for Continued Examination Transmittal<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Assignment<br><input type="checkbox"/> Recordation Cover Sheet<br><br><input type="checkbox"/> Declaration/Power of Attorney<br><input type="checkbox"/> Associate Power of Attorney<br><input type="checkbox"/> Revocation of Power of Attorney<br><br><input type="checkbox"/> Formal Drawings<br><input type="checkbox"/> Letter to Official Draftsperson with three (3) sheets of redlined changes to drawings<br><input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review"<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Additional Enclosures: | <input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] (in duplicate)<br><input type="checkbox"/> Fee Transmittal (in duplicate)<br><br><input type="checkbox"/> Form PTOL-85B, Part B -Issue Fee Payment Transmittal," (in duplicate)<br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Terminal Disclaimer Status Inquiry<br><br><input checked="" type="checkbox"/> Certificate of First Class Mailing<br><br><input type="checkbox"/> Certificate of Express Mail Mailing<br><input checked="" type="checkbox"/> Postcard |
|--|---|--|

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Date: 7/27/04  
 Signature:   
 Scott A. Ouellette, Esq. (Reg. No. 38,573)  
 EMC Corporation  
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 176 South Street  
 Hopkinton, MA 01748  
 Tel: (508) 293-7835  
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Date: 7-28-04  
 Signature:

Linda Valanzola

Typed or printed name of person signing certificate

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> DEC 01 2004		Docket Number: EMC-99-167	
First Named Inventor:	Eli Shagam	Group Art Unit:	2142
Application No.	09/599,229	Examiner:	Vu, Thong H.
Filed:	June 22, 2000	Customer No.:	24227
Title:	SYSTEM AND METHOD FOR REDUCING BANDWIDTH CONSUMED BY LOOPING MESSAGE PACKETS IN LOCAL AREA NETWORK		

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows:

<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))		\$110.00
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))		
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))		
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))		
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))		
TOTAL:		\$110.00

- ☒ Applicant is a large entity.
- ☐ A check in the amount of the fee is enclosed.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account No. 05-0889.

A duplicate copy of this Petition is enclosed herewith.

I am the

☐ Assignee of record of the entire interest

☐ Applicant

☒ Attorney or agent of record. Registration Number 38,573

☐ Attorney or agent under 37 CFR 1.34(a). (Registration No.: \_\_\_\_\_)

Date 7/27/04

Scott A. Ouellette  
 Scott A. Ouellette, Esq. (Reg. No. 38,573)  
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**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]**

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Date 7-28-04

Linda Valanzola  
 Signature  
 Linda Valanzola  
 Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>APPLICANTS:</i>	Eli Shagam <i>et al</i>	<i>GROUP ART UNIT:</i>	2142
<i>U.S.S.N.:</i>	09/599,229	<i>EXAMINER:</i>	Vu, Thong H.
<i>FILING DATE:</i>	June 22, 2000	<i>CUSTOMER NO.</i>	<b>24227</b>
<i>TITLE:</i>	<i>System and Method for Reducing Bandwidth Consumed by Looping Message Packets In Local Area Network</i>		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Linda Valanzola  
Linda Valanzola

**RESPONSE**

Sir:

In response to the Office Action mailed April 19, 2004, applicant respectfully requests reconsideration:

**Remarks/Arguments** begin on page 2 of this paper.

## Remarks/Arguments

In response to the Office Action mailed April 19, 2004, applicants request reconsideration. In the Office Action, the previous final rejection of claims 1-17 was withdrawn. However, claims 1-17 have been rejected under new grounds for rejection. No amendments have been made in this Response. Claims 1-17 remain pending in this application.

### Claim Rejections Under 35 U.S.C. §102

Claims 1-17 were rejected under 35 U.S.C. §102(b) as being anticipated by Miller et al. (U.S. Patent No. 5,727,002). The examiner states that Miller teaches a firewall for transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value, the firewall including a message receiver, a message processor configured to process the at least one message packet to provide a time to live value selected to be related to a maximum length for message packets transferred over the local area, and a message transmitter. This rejection is traversed, as Miller does not teach every element recited in each claim, as is required for a proper rejection under 35 U.S.C. §102.

Miller teaches a method for transmitting data in which, while frames of data are being transmitted, negative acknowledgements from recipients are received by the source. The acknowledgements indicate which frames require retransmission. After all frames have been transmitted, a retransmission is performed by the source for only those frames which the acknowledgements indicate require retransmission.

Independent claim 1 recites a firewall for transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value, the firewall comprising:

- A. a message receiver configured to receive the at least one of the message packets from the external network;
- B. a message processor configured to process the at least one message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network; and



C. a message transmitter configured to transmit the at least one message packet as processed by the message processor over the local area network.

Miller does not teach or suggest a message receiver configured to receive the at least one of the message packets from an external network. The section of Miller cited by the examiner states that the link 24 taught by Miller may be one of several different network types. As shown in Fig. 2, there is only one network involved in the Miller system. Data may be transferred from the server to the clients or between clients through the server, but the data never leaves the network. Hence, the server of Miller is not a firewall.

Furthermore, Miller does not teach or suggest a message processor configured to process the at least one message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Miller never even mentions processing message packets, let alone manipulating the time to live value of a packet. The smallest piece of data that Miller is concerned with are "blocks" of frames, each block including up to thousands of frames. See col. 7, lines 37-39. Each block represents a unit that will be negatively acknowledged by every client participating in a transfer when a client determines that a block has been sent by the server (col. 7, lines 42-46). If any portion of a file is not received by a client, it is resent by the server in subsequent passes (col. 8, lines 7-10). One parameter that is configurable is a maximum time to complete multiple passes of the transfer (col. 8, lines 15-16). Another configurable parameter taught by Miller is the number of passes that the server will undergo in transmitting a file (col. 2, lines 58-60).

Clearly then, Miller does not process message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. This is because, first, Miller doesn't process message packets; second, Miller's packets do not include a time to live value; and third, Miller's configurable parameters are not related to a maximum path length. None of the constraints implemented by Miller have anything to do with a maximum path length for message packets transferred over the local area network. The only constraints on the transmission of packets taught by Miller are the maximum time that an entire transmission can take and a maximum number of transmission passes.

The first citation to Miller by the examiner (col. 6, lines 20-52) discusses how the server informs the clients of when a transmission is about to occur, but does not discuss the actual transfer itself. The second citation to Miller by the examiner (col. 8, lines 15-31) discusses the maximum time of transmission parameter for an entire transfer, what happens when a client receives the entire transfer and what happens when a client does not receive the entire transfer. Neither has any connection or relevance to the invention recited in independent claim 1.

Accordingly, claim 1 is allowable over Miller and the rejection under 35 U.S.C. §102(b) should be withdrawn.

Claims 2-6 depend from independent claim 1 and are allowable for at least the same reasons as independent claim 1.

Independent claim 7 recites a device for generating and transmitting at least one message packet over a network, the at least one message packet including a time to live field including a time to live value, the device comprising:

- A. a message generator configured to generate the at least one message packet and provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network; and
- B. a message transmitter configured to transmit the at least one message packet as generated by the message generator over the network.

As set forth above, Miller does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 7 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Independent claim 8 recites a method of transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value, the method comprising:

- A. receiving the at least one of the message packets from the external network;
- B. processing the at least one message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network; and

C. transmitting the at least one message packet as processed by the message processor over the local area network.

As set forth above, Miller does not teach or suggest receiving the at least one of the message packets from an external network and Miller does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 8 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Claims 9-13 depend from independent claim 8 and are allowable for at least the same reasons as independent claim 8.

Independent claim 14 recites a method of generating and transmitting at least one message packet over network, the at least one message packet including a time to live field including a time to live value, the device comprising:

- A. generating the at least one message packet and provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the network; and
- B. transmitting the at least one message packet as generated by the message generator over the network

As set forth above, Miller does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 14 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Independent claim 15 recites a computer program product for use in connection with a computer to provide a firewall for transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value, the computer program product comprising a computer-readable medium having encoded thereon a message processor module configured to enable the computer process the at least one message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network.

As set forth above, Miller does not teach or suggest receiving the at least one of the message packets from an external network and Miller does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 15 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Claim 16 depends from independent claim 15 and is allowable for at least the same reasons as independent claim 15.

Independent claim 17 recites a computer program product for use in connection with a computer to provide a device for generating and transmitting at least one message packet over network, the at least one of the message packet including a time to live field including a time to live value, the computer program product comprising a computer-readable medium having encoded thereon a message generator configured to generate the at least one message packet and provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network.

As set forth above, Miller does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 17 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Claims 1-17 were rejected under 35 U.S.C. §102(b) as being anticipated by Aggerwal et al. (U.S. Patent No. 5,675,741). The examiner states that Aggerwal teaches a firewall for transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value, the firewall including a message receiver, a message processor configured to process the at least one message packet to provide a time to live value selected to be related to a maximum length for message packets transferred over the local area, and a message transmitter. This rejection is traversed, as Aggerwal does not teach every element recited in each claim, as is required for a proper rejection under 35 U.S.C. §102.

Aggerwal teaches a method of determining a communications path between a source and a destination in an IP network. The method determines the path by sending a UDP probe packet having a destination field with a destination IP address and a TTL field with a value of one greater than the number of hops to the current router. The method involves incrementing the TTL of the probe packet to determine the next router between a querying node and a source node. In other words, the TTL of the probe packet is incremented by one each time a router is found that is not the source node or destination node. See col. 4, lines 26-42 and col. 6, lines 53-66.

Independent claim 1 recites a firewall for transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value, the firewall comprising:

- A. a message receiver configured to receive the at least one of the message packets from the external network;
- B. a message processor configured to process the at least one message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network; and
- C. a message transmitter configured to transmit the at least one message packet as processed by the message processor over the local area network.

Aggerwal does not teach or suggest a firewall including a message receiver configured to receive a message packet having a time to live value from an external network. In fact, Aggerwal does not teach receiving message packets at all. The method disclosed in Aggerwal pertains only to determining paths or performing a “traceroute” between a source and a destination (col. 2, lines 22-25). No message packets are received from an external network.

Also, the system of Aggerwal is not a firewall, as Aggerwal does not teach or suggest transferring message packets from an external network to a local area network. The examiner has failed to provide support in Aggerwal for the proposition that his system is a firewall or that it transfers message packets between different networks.

Furthermore, Aggerwal does not teach or suggest a message processor configured to process at least one message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred

over the local area network. Aggerwal only increments the TTL of a probe packet by one each time to determine the next router in a communications path. Aggerwal does not teach, suggest or even mention processing message packets. Aggerwal only teaches incrementing the TTL of a probe packet by one when determining a communications path. See col. 3, line 64-col. 4, line 2 and Fig. 2, Step 25. Accordingly, even if Aggerwal's probe packets were the same as message packets, which they are not, Aggerwal does not teach or suggest processing a message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Aggerwal never discusses, or is concerned with, maximum path length as it is related to the time to live value. Aggerwal only teaches incrementing the TTL by one. Again, the examiner has failed to provide support in Aggerwal for the proposition that Aggerwal teaches processing a message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network.

Accordingly, claim 1 is allowable over Aggerwal and the rejection under 35 U.S.C. §102(b) should be withdrawn.

Claims 2-6 depend from independent claim 1 and are allowable for at least the same reasons as independent claim 1.

Independent claim 7 recites a device for generating and transmitting at least one message packet over a network, the at least one message packet including a time to live field including a time to live value, the device comprising:

- A. a message generator configured to generate the at least one message packet and provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network; and
- B. a message transmitter configured to transmit the at least one message packet as generated by the message generator over the network.

As set forth above, Aggerwal does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 7 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Independent claim 8 recites a method of transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value, the method comprising:

- A. receiving the at least one of the message packets from the external network;
- B. processing the at least one message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network; and
- C. transmitting the at least one message packet as processed by the message processor over the local area network.

As set forth above, Aggerwal does not teach or suggest receiving the at least one of the message packets from an external network and Aggerwal does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 8 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Claims 9-13 depend from independent claim 8 and are allowable for at least the same reasons as independent claim 8.

Independent claim 14 recites a method of generating and transmitting at least one message packet over network, the at least one message packet including a time to live field including a time to live value, the device comprising:

- A. generating the at least one message packet and provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the network; and
- B. transmitting the at least one message packet as generated by the message generator over the network

As set forth above, Aggerwal does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 14 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Independent claim 15 recites a computer program product for use in connection with a computer to provide a firewall for transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value, the computer program product comprising a computer-readable medium having encoded thereon a message processor module configured to enable the computer process the at least one message packet to provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network.

As set forth above, Aggerwal does not teach or suggest receiving the at least one of the message packets from an external network and Aggerwal does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 15 under 35 U.S.C. §102(b) is improper and should be withdrawn.

Claim 16 depends from independent claim 15 and is allowable for at least the same reasons as independent claim 15.

Independent claim 17 recites a computer program product for use in connection with a computer to provide a device for generating and transmitting at least one message packet over network, the at least one of the message packet including a time to live field including a time to live value, the computer program product comprising a computer-readable medium having encoded thereon a message generator configured to generate the at least one message packet and provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the local area network.

As set forth above, Aggerwal does not teach or suggest processing message packets to provide a time to live value selected to be related to a maximum path length for message packets transferred over the local area network. Accordingly, the rejection of independent claim 17 under 35 U.S.C. §102(b) is improper and should be withdrawn.



Based on the foregoing amendments and remarks, applicant asserts that pending claims 1-17 are allowable over the prior art of record and respectfully requests that a timely Notice of Allowance be issued in this application.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at 508.293.7835.

Applicants submit herewith a Request for One Month Extension of Time under 37 C.F.R. §1.136(a). Please charge any fees occasioned by this submission to Deposit Account No. 05-0889.

Respectfully submitted,

7/27/04

Date

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